

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO, *ex rel.*

State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

Case No.: 6:69-cv-07941-KWR-KK

RIO CHAMA STREAM SYSTEM

Section 7: Rio Brazos

Subfile Nos.: CHRB-002-0001

CHRB-002-0002

**ORDER CORRECTING CLERICAL ERROR AFFECTING
CHAVEZ CREEK DITCHES NO. 1 AND NO. 2 IN
SECTION 7 RIO BRAZOS OF THE RIO CHAMA STREAM SYSTEM**

THIS MATTER comes before the Court on Plaintiff State of New Mexico, *ex rel.* State Engineer's ("State") *Opposed Motion to Correct Clerical Error Affecting Chavez Creek Ditches No. 1 and No. 2 in Section 7 Rio Brazos of the Rio Chama Stream System* (Docket No. 11620, filed November 21, 2022). The State requests that the Court enter an order correcting the X and Y coordinates for the points of diversion in Subfile Nos.: CHRB-002-0001 and CHRB-002-0002, the two subfiles associated with Chavez Creek Ditch No. 1 and Chavez Creek Ditch No. 2. The State considers the Motion as opposed because the "State attempted to contact the water rights owners for Subfile No. CHRB-002-0002 regarding this motion but was unsuccessful." The water rights owners for Subfile No. CHRB-002-0001 do not oppose the Motion. The Court, being fully advised, and with no responses opposing the State's motion having been filed, finds that the State's motion is well-taken and should be granted.

IT IS ORDERED that Plaintiff State of New Mexico, *ex rel.* State Engineer's *Opposed Motion to Correct Clerical Error Affecting Chavez Creek Ditches No. 1 and No. 2 in Section 7*

Rio Brazos of the Rio Chama Stream System (Docket No. 11620, filed November 21, 2022) is

GRANTED.

IT IS FURTHER ORDERED that the point of diversion for Chavez Creek Ditch No. 1 in Subfile Nos.: CHRB-002-0001 and CHRB-002-0002 is amended as described below.

Point of Diversion:

Ditch: CHAVEZ CREEK DITCH NO. 1

Location X: 1,568,855 feet Location Y: 2,093,836

IT IS FURTHER ORDERED that the point of diversion for Chavez Creek Ditch No. 2 in Subfile No. CHRB-002-0001 is amended as described below.

Point of Diversion:

Ditch: CHAVEZ CREEK DITCH NO. 2

Location X: 1,569,231 feet Location Y: 2,095,199

IT IS ALSO ORDERED that the Clerk of the Court shall mail a copy of this order to the water rights owners at the following addresses:

Garcia Revocable Trust
C/O Joseph O. Garcia
P.O. Box 90398

Mundy Ranch, Inc.
C/O Susan Jane M. Mundy
P.O. Box 1087
Chama, NM 87520

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE